

EXHIBIT A

ALABAMA SJS CASE DETAIL																																																																																																																																																																																																																							
			PREPARED FOR: CHRISTY MEDLIN																																																																																																																																																																																																																				
County: 31	Case Number: CV-2021-900523.00	Court Action:																																																																																																																																																																																																																					
Style: NICK GREEN ET AL V. OMNITRAX, INC. ET AL																																																																																																																																																																																																																							
Real Time																																																																																																																																																																																																																							
<table border="1"> <thead> <tr> <th colspan="6">Case</th> </tr> </thead> <tbody> <tr> <td colspan="6"> <table border="1"> <thead> <tr> <th colspan="6">Case Information</th> </tr> </thead> <tbody> <tr> <td>County: 31-ETOWAH</td> <td>Case Number: CV-2021-900523.00</td> <td colspan="4">Judge: SJS:SONNY J. STEEN</td> </tr> <tr> <td>Style: NICK GREEN ET AL V. OMNITRAX, INC. ET AL</td> <td></td> <td colspan="4">Case Type: NEGLIGENCE MOTOR VEH</td> </tr> <tr> <td>Filed: 11/05/2021</td> <td>Case Status: ACTIVE</td> <td colspan="4">Appellate Case: 0</td> </tr> <tr> <td>Trial Type: BENCH</td> <td>Track:</td> <td colspan="4"></td> </tr> <tr> <td>No of Plaintiffs: 2</td> <td>No of Defendants: 2</td> <td colspan="4"></td> </tr> <tr> <td colspan="6"> <table border="1"> <thead> <tr> <th colspan="6">Damages</th> </tr> </thead> <tbody> <tr> <td>Damage Amt: 0.00</td> <td>Punitive Damages: 0.00</td> <td colspan="4">General Damages: 0.00</td> </tr> <tr> <td>No Damages:</td> <td>Compensatory Damages: 0.00</td> <td colspan="4"></td> </tr> <tr> <td>Pay To:</td> <td>Payment Frequency:</td> <td colspan="4">Cost Paid By:</td> </tr> </tbody> </table> </td> </tr> <tr> <td colspan="6"> <table border="1"> <thead> <tr> <th colspan="6">Court Action</th> </tr> </thead> <tbody> <tr> <td>Court Action Code:</td> <td>Court Action Desc:</td> <td colspan="4">Court Action Date:</td> </tr> <tr> <td>Num of Trial days: 0</td> <td>Num of Liens: 0</td> <td colspan="4">Judgment For:</td> </tr> <tr> <td>Disposition Date of Appeal:</td> <td>Disposition Judge:</td> <td colspan="4">Disposition Type:</td> </tr> <tr> <td>Revised Judgement Date:</td> <td>Minstral:</td> <td colspan="4">Appeal Date:</td> </tr> <tr> <td>Date Trial Began but No Verdict (TBNV1):</td> <td></td> <td colspan="4"></td> </tr> <tr> <td>Date Trial Began but No Verdict (TBNV2):</td> <td></td> <td colspan="4"></td> </tr> </tbody> </table> </td> </tr> <tr> <td colspan="6"> <table border="1"> <thead> <tr> <th colspan="6">Comments</th> </tr> </thead> <tbody> <tr> <td>Comment 1:</td> <td></td> <td colspan="4"></td> </tr> <tr> <td>Comment 2:</td> <td></td> <td colspan="4"></td> </tr> </tbody> </table> </td> </tr> <tr> <td colspan="6"> <table border="1"> <thead> <tr> <th colspan="6">Appeal Information</th> </tr> </thead> <tbody> <tr> <td>Appeal Date:</td> <td>Appeal Case Number:</td> <td colspan="4">Appeal Court:</td> </tr> <tr> <td>Appeal Status:</td> <td>Orgin Of Appeal:</td> <td colspan="4"></td> </tr> <tr> <td>Appeal To:</td> <td>Appeal To Desc:</td> <td colspan="4">LowerCourt Appeal Date:</td> </tr> <tr> <td>Disposition Date Of Appeal:</td> <td colspan="5">Disposition Type Of Appeal:</td> </tr> </tbody> </table> </td> </tr> <tr> <td colspan="6"> <table border="1"> <thead> <tr> <th colspan="6">Administrative Information</th> </tr> </thead> <tbody> <tr> <td>Transfer to Admin Doc Date:</td> <td>Transfer Reason:</td> <td colspan="4">Transfer Desc:</td> </tr> <tr> <td>Number of Subpoenas:</td> <td>Last Update: 11/05/2021</td> <td colspan="4">Updated By: AJA</td> </tr> </tbody> </table> </td> </tr> </tbody> </table> </td></tr></tbody></table>						Case						<table border="1"> <thead> <tr> <th colspan="6">Case Information</th> </tr> </thead> <tbody> <tr> <td>County: 31-ETOWAH</td> <td>Case Number: CV-2021-900523.00</td> <td colspan="4">Judge: SJS:SONNY J. STEEN</td> </tr> <tr> <td>Style: NICK GREEN ET AL V. OMNITRAX, INC. ET AL</td> <td></td> <td colspan="4">Case Type: NEGLIGENCE MOTOR VEH</td> </tr> <tr> <td>Filed: 11/05/2021</td> <td>Case Status: ACTIVE</td> <td colspan="4">Appellate Case: 0</td> </tr> <tr> <td>Trial Type: BENCH</td> <td>Track:</td> <td colspan="4"></td> </tr> <tr> <td>No of Plaintiffs: 2</td> <td>No of Defendants: 2</td> <td colspan="4"></td> </tr> <tr> <td colspan="6"> <table border="1"> <thead> <tr> <th colspan="6">Damages</th> </tr> </thead> <tbody> <tr> <td>Damage Amt: 0.00</td> <td>Punitive Damages: 0.00</td> <td colspan="4">General Damages: 0.00</td> </tr> <tr> <td>No Damages:</td> <td>Compensatory Damages: 0.00</td> <td colspan="4"></td> </tr> <tr> <td>Pay To:</td> <td>Payment Frequency:</td> <td colspan="4">Cost Paid By:</td> </tr> </tbody> </table> </td> </tr> <tr> <td colspan="6"> <table border="1"> <thead> <tr> <th colspan="6">Court Action</th> </tr> </thead> <tbody> <tr> <td>Court Action Code:</td> <td>Court Action Desc:</td> <td colspan="4">Court Action Date:</td> </tr> <tr> <td>Num of Trial days: 0</td> <td>Num of Liens: 0</td> <td colspan="4">Judgment For:</td> </tr> <tr> <td>Disposition Date of Appeal:</td> <td>Disposition Judge:</td> <td colspan="4">Disposition Type:</td> </tr> <tr> <td>Revised Judgement Date:</td> <td>Minstral:</td> <td colspan="4">Appeal Date:</td> </tr> <tr> <td>Date Trial Began but No Verdict (TBNV1):</td> <td></td> <td colspan="4"></td> </tr> <tr> <td>Date Trial Began but No Verdict (TBNV2):</td> <td></td> <td colspan="4"></td> </tr> </tbody> </table> </td> </tr> <tr> <td colspan="6"> <table border="1"> <thead> <tr> <th colspan="6">Comments</th> </tr> </thead> <tbody> <tr> <td>Comment 1:</td> <td></td> <td colspan="4"></td> </tr> <tr> <td>Comment 2:</td> <td></td> <td colspan="4"></td> </tr> </tbody> </table> </td> </tr> <tr> <td colspan="6"> <table border="1"> <thead> <tr> <th colspan="6">Appeal Information</th> </tr> </thead> <tbody> <tr> <td>Appeal Date:</td> <td>Appeal Case Number:</td> <td colspan="4">Appeal Court:</td> </tr> <tr> <td>Appeal Status:</td> <td>Orgin Of Appeal:</td> <td colspan="4"></td> </tr> <tr> <td>Appeal To:</td> <td>Appeal To Desc:</td> <td colspan="4">LowerCourt Appeal Date:</td> </tr> <tr> <td>Disposition Date Of Appeal:</td> <td colspan="5">Disposition Type Of Appeal:</td> </tr> </tbody> </table> </td> </tr> <tr> <td colspan="6"> <table border="1"> <thead> <tr> <th colspan="6">Administrative Information</th> </tr> </thead> <tbody> <tr> <td>Transfer to Admin Doc Date:</td> <td>Transfer Reason:</td> <td colspan="4">Transfer Desc:</td> </tr> <tr> <td>Number of Subpoenas:</td> <td>Last Update: 11/05/2021</td> <td colspan="4">Updated By: AJA</td> </tr> </tbody> </table> </td> </tr> </tbody> </table>						Case Information						County: 31-ETOWAH	Case Number: CV-2021-900523.00	Judge: SJS:SONNY J. STEEN				Style: NICK GREEN ET AL V. OMNITRAX, INC. ET AL		Case Type: NEGLIGENCE MOTOR VEH				Filed: 11/05/2021	Case Status: ACTIVE	Appellate Case: 0				Trial Type: BENCH	Track:					No of Plaintiffs: 2	No of Defendants: 2					<table border="1"> <thead> <tr> <th colspan="6">Damages</th> </tr> </thead> <tbody> <tr> <td>Damage Amt: 0.00</td> <td>Punitive Damages: 0.00</td> <td colspan="4">General Damages: 0.00</td> </tr> <tr> <td>No Damages:</td> <td>Compensatory Damages: 0.00</td> <td colspan="4"></td> </tr> <tr> <td>Pay To:</td> <td>Payment Frequency:</td> <td colspan="4">Cost Paid By:</td> </tr> </tbody> </table>						Damages						Damage Amt: 0.00	Punitive Damages: 0.00	General Damages: 0.00				No Damages:	Compensatory Damages: 0.00					Pay To:	Payment Frequency:	Cost Paid By:				<table border="1"> <thead> <tr> <th colspan="6">Court Action</th> </tr> </thead> <tbody> <tr> <td>Court Action Code:</td> <td>Court Action Desc:</td> <td colspan="4">Court Action Date:</td> </tr> <tr> <td>Num of Trial days: 0</td> <td>Num of Liens: 0</td> <td colspan="4">Judgment For:</td> </tr> <tr> <td>Disposition Date of Appeal:</td> <td>Disposition Judge:</td> <td colspan="4">Disposition Type:</td> </tr> <tr> <td>Revised Judgement Date:</td> <td>Minstral:</td> <td colspan="4">Appeal Date:</td> </tr> <tr> <td>Date Trial Began but No Verdict (TBNV1):</td> <td></td> <td colspan="4"></td> </tr> <tr> <td>Date Trial Began but No Verdict (TBNV2):</td> <td></td> <td colspan="4"></td> </tr> </tbody> </table>						Court Action						Court Action Code:	Court Action Desc:	Court Action Date:				Num of Trial days: 0	Num of Liens: 0	Judgment For:				Disposition Date of Appeal:	Disposition Judge:	Disposition Type:				Revised Judgement Date:	Minstral:	Appeal Date:				Date Trial Began but No Verdict (TBNV1):						Date Trial Began but No Verdict (TBNV2):						<table border="1"> <thead> <tr> <th colspan="6">Comments</th> </tr> </thead> <tbody> <tr> <td>Comment 1:</td> <td></td> <td colspan="4"></td> </tr> <tr> <td>Comment 2:</td> <td></td> <td colspan="4"></td> </tr> </tbody> </table>						Comments						Comment 1:						Comment 2:						<table border="1"> <thead> <tr> <th colspan="6">Appeal Information</th> </tr> </thead> <tbody> <tr> <td>Appeal Date:</td> <td>Appeal Case Number:</td> <td colspan="4">Appeal Court:</td> </tr> <tr> <td>Appeal Status:</td> <td>Orgin Of Appeal:</td> <td colspan="4"></td> </tr> <tr> <td>Appeal To:</td> <td>Appeal To Desc:</td> <td colspan="4">LowerCourt Appeal Date:</td> </tr> <tr> <td>Disposition Date Of Appeal:</td> <td colspan="5">Disposition Type Of Appeal:</td> </tr> </tbody> </table>						Appeal Information						Appeal Date:	Appeal Case Number:	Appeal Court:				Appeal Status:	Orgin Of Appeal:					Appeal To:	Appeal To Desc:	LowerCourt Appeal Date:				Disposition Date Of Appeal:	Disposition Type Of Appeal:					<table border="1"> <thead> <tr> <th colspan="6">Administrative Information</th> </tr> </thead> <tbody> <tr> <td>Transfer to Admin Doc Date:</td> <td>Transfer Reason:</td> <td colspan="4">Transfer Desc:</td> </tr> <tr> <td>Number of Subpoenas:</td> <td>Last Update: 11/05/2021</td> <td colspan="4">Updated By: AJA</td> </tr> </tbody> </table>						Administrative Information						Transfer to Admin Doc Date:	Transfer Reason:	Transfer Desc:				Number of Subpoenas:	Last Update: 11/05/2021	Updated By: AJA			
Case																																																																																																																																																																																																																							
<table border="1"> <thead> <tr> <th colspan="6">Case Information</th> </tr> </thead> <tbody> <tr> <td>County: 31-ETOWAH</td> <td>Case Number: CV-2021-900523.00</td> <td colspan="4">Judge: SJS:SONNY J. STEEN</td> </tr> <tr> <td>Style: NICK GREEN ET AL V. OMNITRAX, INC. ET AL</td> <td></td> <td colspan="4">Case Type: NEGLIGENCE MOTOR VEH</td> </tr> <tr> <td>Filed: 11/05/2021</td> <td>Case Status: ACTIVE</td> <td colspan="4">Appellate Case: 0</td> </tr> <tr> <td>Trial Type: BENCH</td> <td>Track:</td> <td colspan="4"></td> </tr> <tr> <td>No of Plaintiffs: 2</td> <td>No of Defendants: 2</td> <td colspan="4"></td> </tr> <tr> <td colspan="6"> <table border="1"> <thead> <tr> <th colspan="6">Damages</th> </tr> </thead> <tbody> <tr> <td>Damage Amt: 0.00</td> <td>Punitive Damages: 0.00</td> <td colspan="4">General Damages: 0.00</td> </tr> <tr> <td>No Damages:</td> <td>Compensatory Damages: 0.00</td> <td colspan="4"></td> </tr> <tr> <td>Pay To:</td> <td>Payment Frequency:</td> <td colspan="4">Cost Paid By:</td> </tr> </tbody> </table> </td> </tr> <tr> <td colspan="6"> <table border="1"> <thead> <tr> <th colspan="6">Court Action</th> </tr> </thead> <tbody> <tr> <td>Court Action Code:</td> <td>Court Action Desc:</td> <td colspan="4">Court Action Date:</td> </tr> <tr> <td>Num of Trial days: 0</td> <td>Num of Liens: 0</td> <td colspan="4">Judgment For:</td> </tr> <tr> <td>Disposition Date of Appeal:</td> <td>Disposition Judge:</td> <td colspan="4">Disposition Type:</td> </tr> <tr> <td>Revised Judgement Date:</td> <td>Minstral:</td> <td colspan="4">Appeal Date:</td> </tr> <tr> <td>Date Trial Began but No Verdict (TBNV1):</td> <td></td> <td colspan="4"></td> </tr> <tr> <td>Date Trial Began but No Verdict (TBNV2):</td> <td></td> <td colspan="4"></td> </tr> </tbody> </table> </td> </tr> <tr> <td colspan="6"> <table border="1"> <thead> <tr> <th colspan="6">Comments</th> </tr> </thead> <tbody> <tr> <td>Comment 1:</td> <td></td> <td colspan="4"></td> </tr> <tr> <td>Comment 2:</td> <td></td> <td colspan="4"></td> </tr> </tbody> </table> </td> </tr> <tr> <td colspan="6"> <table border="1"> <thead> <tr> <th colspan="6">Appeal Information</th> </tr> </thead> <tbody> <tr> <td>Appeal Date:</td> <td>Appeal Case Number:</td> <td colspan="4">Appeal Court:</td> </tr> <tr> <td>Appeal Status:</td> <td>Orgin Of Appeal:</td> <td colspan="4"></td> </tr> <tr> <td>Appeal To:</td> <td>Appeal To Desc:</td> <td colspan="4">LowerCourt Appeal Date:</td> </tr> <tr> <td>Disposition Date Of Appeal:</td> <td colspan="5">Disposition Type Of Appeal:</td> </tr> </tbody> </table> </td> </tr> <tr> <td colspan="6"> <table border="1"> <thead> <tr> <th colspan="6">Administrative Information</th> </tr> </thead> <tbody> <tr> <td>Transfer to Admin Doc Date:</td> <td>Transfer Reason:</td> <td colspan="4">Transfer Desc:</td> </tr> <tr> <td>Number of Subpoenas:</td> <td>Last Update: 11/05/2021</td> <td colspan="4">Updated By: AJA</td> </tr> </tbody> </table> </td> </tr> </tbody> </table>						Case Information						County: 31-ETOWAH	Case Number: CV-2021-900523.00	Judge: SJS:SONNY J. STEEN				Style: NICK GREEN ET AL V. OMNITRAX, INC. ET AL		Case Type: NEGLIGENCE MOTOR VEH				Filed: 11/05/2021	Case Status: ACTIVE	Appellate Case: 0				Trial Type: BENCH	Track:					No of Plaintiffs: 2	No of Defendants: 2					<table border="1"> <thead> <tr> <th colspan="6">Damages</th> </tr> </thead> <tbody> <tr> <td>Damage Amt: 0.00</td> <td>Punitive Damages: 0.00</td> <td colspan="4">General Damages: 0.00</td> </tr> <tr> <td>No Damages:</td> <td>Compensatory Damages: 0.00</td> <td colspan="4"></td> </tr> <tr> <td>Pay To:</td> <td>Payment Frequency:</td> <td colspan="4">Cost Paid By:</td> </tr> </tbody> </table>						Damages						Damage Amt: 0.00	Punitive Damages: 0.00	General Damages: 0.00				No Damages:	Compensatory Damages: 0.00					Pay To:	Payment Frequency:	Cost Paid By:				<table border="1"> <thead> <tr> <th colspan="6">Court Action</th> </tr> </thead> <tbody> <tr> <td>Court Action Code:</td> <td>Court Action Desc:</td> <td colspan="4">Court Action Date:</td> </tr> <tr> <td>Num of Trial days: 0</td> <td>Num of Liens: 0</td> <td colspan="4">Judgment For:</td> </tr> <tr> <td>Disposition Date of Appeal:</td> <td>Disposition Judge:</td> <td colspan="4">Disposition Type:</td> </tr> <tr> <td>Revised Judgement Date:</td> <td>Minstral:</td> <td colspan="4">Appeal Date:</td> </tr> <tr> <td>Date Trial Began but No Verdict (TBNV1):</td> <td></td> <td colspan="4"></td> </tr> <tr> <td>Date Trial Began but No Verdict (TBNV2):</td> <td></td> <td colspan="4"></td> </tr> </tbody> </table>						Court Action						Court Action Code:	Court Action Desc:	Court Action Date:				Num of Trial days: 0	Num of Liens: 0	Judgment For:				Disposition Date of Appeal:	Disposition Judge:	Disposition Type:				Revised Judgement Date:	Minstral:	Appeal Date:				Date Trial Began but No Verdict (TBNV1):						Date Trial Began but No Verdict (TBNV2):						<table border="1"> <thead> <tr> <th colspan="6">Comments</th> </tr> </thead> <tbody> <tr> <td>Comment 1:</td> <td></td> <td colspan="4"></td> </tr> <tr> <td>Comment 2:</td> <td></td> <td colspan="4"></td> </tr> </tbody> </table>						Comments						Comment 1:						Comment 2:						<table border="1"> <thead> <tr> <th colspan="6">Appeal Information</th> </tr> </thead> <tbody> <tr> <td>Appeal Date:</td> <td>Appeal Case Number:</td> <td colspan="4">Appeal Court:</td> </tr> <tr> <td>Appeal Status:</td> <td>Orgin Of Appeal:</td> <td colspan="4"></td> </tr> <tr> <td>Appeal To:</td> <td>Appeal To Desc:</td> <td colspan="4">LowerCourt Appeal Date:</td> </tr> <tr> <td>Disposition Date Of Appeal:</td> <td colspan="5">Disposition Type Of Appeal:</td> </tr> </tbody> </table>						Appeal Information						Appeal Date:	Appeal Case Number:	Appeal Court:				Appeal Status:	Orgin Of Appeal:					Appeal To:	Appeal To Desc:	LowerCourt Appeal Date:				Disposition Date Of Appeal:	Disposition Type Of Appeal:					<table border="1"> <thead> <tr> <th colspan="6">Administrative Information</th> </tr> </thead> <tbody> <tr> <td>Transfer to Admin Doc Date:</td> <td>Transfer Reason:</td> <td colspan="4">Transfer Desc:</td> </tr> <tr> <td>Number of Subpoenas:</td> <td>Last Update: 11/05/2021</td> <td colspan="4">Updated By: AJA</td> </tr> </tbody> </table>						Administrative Information						Transfer to Admin Doc Date:	Transfer Reason:	Transfer Desc:				Number of Subpoenas:	Last Update: 11/05/2021	Updated By: AJA															
Case Information																																																																																																																																																																																																																							
County: 31-ETOWAH	Case Number: CV-2021-900523.00	Judge: SJS:SONNY J. STEEN																																																																																																																																																																																																																					
Style: NICK GREEN ET AL V. OMNITRAX, INC. ET AL		Case Type: NEGLIGENCE MOTOR VEH																																																																																																																																																																																																																					
Filed: 11/05/2021	Case Status: ACTIVE	Appellate Case: 0																																																																																																																																																																																																																					
Trial Type: BENCH	Track:																																																																																																																																																																																																																						
No of Plaintiffs: 2	No of Defendants: 2																																																																																																																																																																																																																						
<table border="1"> <thead> <tr> <th colspan="6">Damages</th> </tr> </thead> <tbody> <tr> <td>Damage Amt: 0.00</td> <td>Punitive Damages: 0.00</td> <td colspan="4">General Damages: 0.00</td> </tr> <tr> <td>No Damages:</td> <td>Compensatory Damages: 0.00</td> <td colspan="4"></td> </tr> <tr> <td>Pay To:</td> <td>Payment Frequency:</td> <td colspan="4">Cost Paid By:</td> </tr> </tbody> </table>						Damages						Damage Amt: 0.00	Punitive Damages: 0.00	General Damages: 0.00				No Damages:	Compensatory Damages: 0.00					Pay To:	Payment Frequency:	Cost Paid By:																																																																																																																																																																																													
Damages																																																																																																																																																																																																																							
Damage Amt: 0.00	Punitive Damages: 0.00	General Damages: 0.00																																																																																																																																																																																																																					
No Damages:	Compensatory Damages: 0.00																																																																																																																																																																																																																						
Pay To:	Payment Frequency:	Cost Paid By:																																																																																																																																																																																																																					
<table border="1"> <thead> <tr> <th colspan="6">Court Action</th> </tr> </thead> <tbody> <tr> <td>Court Action Code:</td> <td>Court Action Desc:</td> <td colspan="4">Court Action Date:</td> </tr> <tr> <td>Num of Trial days: 0</td> <td>Num of Liens: 0</td> <td colspan="4">Judgment For:</td> </tr> <tr> <td>Disposition Date of Appeal:</td> <td>Disposition Judge:</td> <td colspan="4">Disposition Type:</td> </tr> <tr> <td>Revised Judgement Date:</td> <td>Minstral:</td> <td colspan="4">Appeal Date:</td> </tr> <tr> <td>Date Trial Began but No Verdict (TBNV1):</td> <td></td> <td colspan="4"></td> </tr> <tr> <td>Date Trial Began but No Verdict (TBNV2):</td> <td></td> <td colspan="4"></td> </tr> </tbody> </table>						Court Action						Court Action Code:	Court Action Desc:	Court Action Date:				Num of Trial days: 0	Num of Liens: 0	Judgment For:				Disposition Date of Appeal:	Disposition Judge:	Disposition Type:				Revised Judgement Date:	Minstral:	Appeal Date:				Date Trial Began but No Verdict (TBNV1):						Date Trial Began but No Verdict (TBNV2):																																																																																																																																																																													
Court Action																																																																																																																																																																																																																							
Court Action Code:	Court Action Desc:	Court Action Date:																																																																																																																																																																																																																					
Num of Trial days: 0	Num of Liens: 0	Judgment For:																																																																																																																																																																																																																					
Disposition Date of Appeal:	Disposition Judge:	Disposition Type:																																																																																																																																																																																																																					
Revised Judgement Date:	Minstral:	Appeal Date:																																																																																																																																																																																																																					
Date Trial Began but No Verdict (TBNV1):																																																																																																																																																																																																																							
Date Trial Began but No Verdict (TBNV2):																																																																																																																																																																																																																							
<table border="1"> <thead> <tr> <th colspan="6">Comments</th> </tr> </thead> <tbody> <tr> <td>Comment 1:</td> <td></td> <td colspan="4"></td> </tr> <tr> <td>Comment 2:</td> <td></td> <td colspan="4"></td> </tr> </tbody> </table>						Comments						Comment 1:						Comment 2:																																																																																																																																																																																																					
Comments																																																																																																																																																																																																																							
Comment 1:																																																																																																																																																																																																																							
Comment 2:																																																																																																																																																																																																																							
<table border="1"> <thead> <tr> <th colspan="6">Appeal Information</th> </tr> </thead> <tbody> <tr> <td>Appeal Date:</td> <td>Appeal Case Number:</td> <td colspan="4">Appeal Court:</td> </tr> <tr> <td>Appeal Status:</td> <td>Orgin Of Appeal:</td> <td colspan="4"></td> </tr> <tr> <td>Appeal To:</td> <td>Appeal To Desc:</td> <td colspan="4">LowerCourt Appeal Date:</td> </tr> <tr> <td>Disposition Date Of Appeal:</td> <td colspan="5">Disposition Type Of Appeal:</td> </tr> </tbody> </table>						Appeal Information						Appeal Date:	Appeal Case Number:	Appeal Court:				Appeal Status:	Orgin Of Appeal:					Appeal To:	Appeal To Desc:	LowerCourt Appeal Date:				Disposition Date Of Appeal:	Disposition Type Of Appeal:																																																																																																																																																																																								
Appeal Information																																																																																																																																																																																																																							
Appeal Date:	Appeal Case Number:	Appeal Court:																																																																																																																																																																																																																					
Appeal Status:	Orgin Of Appeal:																																																																																																																																																																																																																						
Appeal To:	Appeal To Desc:	LowerCourt Appeal Date:																																																																																																																																																																																																																					
Disposition Date Of Appeal:	Disposition Type Of Appeal:																																																																																																																																																																																																																						
<table border="1"> <thead> <tr> <th colspan="6">Administrative Information</th> </tr> </thead> <tbody> <tr> <td>Transfer to Admin Doc Date:</td> <td>Transfer Reason:</td> <td colspan="4">Transfer Desc:</td> </tr> <tr> <td>Number of Subpoenas:</td> <td>Last Update: 11/05/2021</td> <td colspan="4">Updated By: AJA</td> </tr> </tbody> </table>						Administrative Information						Transfer to Admin Doc Date:	Transfer Reason:	Transfer Desc:				Number of Subpoenas:	Last Update: 11/05/2021	Updated By: AJA																																																																																																																																																																																																			
Administrative Information																																																																																																																																																																																																																							
Transfer to Admin Doc Date:	Transfer Reason:	Transfer Desc:																																																																																																																																																																																																																					
Number of Subpoenas:	Last Update: 11/05/2021	Updated By: AJA																																																																																																																																																																																																																					

Parties																													
Party 1 - Plaintiff INDIVIDUAL - GREEN/NICK																													
<table border="1"> <thead> <tr> <th colspan="6">Party Information</th> </tr> </thead> <tbody> <tr> <td>Party: C001-Plaintiff</td> <td>Name: GREEN NICK</td> <td colspan="4">Type: I-INDIVIDUAL</td> </tr> <tr> <td>Index: D OMNITRAX, IN</td> <td>Alt Name:</td> <td colspan="4">Hardship: No JID: SJS</td> </tr> <tr> <td>Address 1: 31 INVERNESS CENTER PKWY</td> <td></td> <td colspan="4">Phone: (256) 000-0000</td> </tr> </tbody> </table>						Party Information						Party: C001-Plaintiff	Name: GREEN NICK	Type: I-INDIVIDUAL				Index: D OMNITRAX, IN	Alt Name:	Hardship: No JID: SJS				Address 1: 31 INVERNESS CENTER PKWY		Phone: (256) 000-0000			
Party Information																													
Party: C001-Plaintiff	Name: GREEN NICK	Type: I-INDIVIDUAL																											
Index: D OMNITRAX, IN	Alt Name:	Hardship: No JID: SJS																											
Address 1: 31 INVERNESS CENTER PKWY		Phone: (256) 000-0000																											

Address 2: SUITE 350
 City: BIRMINGHAM State: AL Zip: 35242-0000 Country: US
 SSN: XXX-XX-X999 DOB: Sex: Race:

Court Action

Court Action:
 Amount of Judgement: \$0.00 Court Action For:
 Cost Against Party: \$0.00 Other Cost: \$0.00
 Comment:
 Warrant Action Date:
 Warrant Action Status:

Court Action Date:
 Exemptions:
 Date Satisfied:
 Arrest Date:
 Status Description:

Service Information

Issued: Issued Type: Reissue: Reissue Type:
 Return: Return Type: Return: Return Type:
 Served: Service Type Service On: Served By:
 Answer: Answer Type: Notice of No Service: Notice of No Answer:

Attorneys

Number	Attorney Code	Type of Counsel	Name	Email	Phone
Attorney 1	MEZ002		MEZRANO STEVEN MICHAEL	STEVEN@MEZRANO.COM	(205) 206-6300
Attorney 2	ADA080		ADAMS ERIN GANEY	ERIN@MEZRANO.COM	(205) 206-6300

Party 2: Plaintiff INDIVIDUAL - GREEN MATT**Party Information**

Party: C002-Plaintiff Name: GREEN MATT Type: I-INDIVIDUAL
 Index: D OMNITRAX, IN Alt Name: Hardship: No JID: SJS
 Address 1: 31 INVERNESS CENTER PKWY Phone: (256) 000-0000
 Address 2: SUITE 350
 City: BIRMINGHAM State: AL Zip: 35242-0000 Country: US
 SSN: XXX-XX-X999 DOB: Sex: Race:

Court Action

Court Action:
 Amount of Judgement: \$0.00 Court Action For:
 Cost Against Party: \$0.00 Other Cost: \$0.00
 Comment:
 Warrant Action Date:
 Warrant Action Status:

Court Action Date:
 Exemptions:
 Date Satisfied:
 Arrest Date:
 Status Description:

Service Information

Issued: Issued Type: Reissue: Reissue Type:
 Return: Return Type: Return: Return Type:
 Served: Service Type Service On: Served By:
 Answer: Answer Type: Notice of No Service: Notice of No Answer:

Attorneys

Number	Attorney Code	Type of Counsel	Name	Email	Phone
Attorney 1	MEZ002		MEZRANO STEVEN MICHAEL	STEVEN@MEZRANO.COM	(205) 206-6300
Attorney 2	ADA080		ADAMS ERIN GANEY	ERIN@MEZRANO.COM	(205) 206-6300

Party 3 - Defendant BUSINESS - OMNITRAX, INC.**Party Information**

Party:	D001-Defendant	Name:	OMNITRAX, INC.	Type:	B-BUSINESS
Index:	C GREEN NICK	Alt Name:		Hardship:	No JID: SJS
Address 1:	C/O DON VAN WYK			Phone:	(256) 000-0000
Address 2:	252 CLAYTON STREET, 4TH F				
City:	DENVER	State:	CO	Zip:	80206-0000 Country: US
SSN:	XXX-XX-X999	DOB:		Sex:	Race:

Court Action

Court Action:		Court Action Date:	
Amount of Judgement:	\$0.00	Court Action For:	
Cost Against Party:	\$0.00	Other Cost:	\$0.00
Comment:			
Warrant Action Date:		Warrant Action Status:	
			Status Description:

Service Information

Issued:	11/05/2021	Issued Type:	C-CERTIFIED MAIL	Reissue:	Reissue Type:
Return:		Return Type:		Return:	Return Type:
Served:	11/15/2021	Service Type:	C-CERTIFIED MAIL	Service On:	Served By:
Answer:		Answer Type:		Notice of No Service:	Notice of No Answer:

Attorneys

Number	Attorney Code	Type of Counsel	Name	Email	Phone
Attorney 1	000000		PRO SE		

Party 4 - Defendant BUSINESS - ALABAMA & TENNESSEE RIVER RAILWAY, LLC**Party Information**

Party:	D002-Defendant	Name:	ALABAMA & TENNESSEE RIVER RAILWAY, LLC	Type:	B-BUSINESS
Index:	C GREEN NICK	Alt Name:		Hardship:	No JID: SJS
Address 1:	C/O CT CORPORATION SYSTEM			Phone:	(256) 000-0000
Address 2:	2 N JACKSON ST, STE 605				
City:	MONTGOMERY	State:	AL	Zip:	36104-0000 Country: US
SSN:	XXX-XX-X999	DOB:		Sex:	Race:

Court Action

Court Action:	Court Action Date:		
Amount of Judgement: \$0.00	Court Action For:	Exemptions:	
Cost Against Party: \$0.00	Other Cost: \$0.00	Date Satisfied:	Arrest Date:
Comment:	Status Description:		
Warrant Action Date:	Warrant Action Status:		

Service Information

Issued: 11/05/2021	Issued Type: C-CERTIFIED MAIL	Reissue:	Reissue Type:
Return:	Return Type:	Return:	Return Type:
Served: 11/10/2021	Service Type C-CERTIFIED MAIL	Service On:	Served By:
Answer:	Answer Type:	Notice of No Service:	Notice of No Answer:

Attorneys

Number	Attorney Code	Type of Counsel	Name	Email	Phone
Attorney 1	000000	PRO SE			

Financial**Fee Sheet**

Fee Status	Admin Fee	Fee Code	Payor	Payee	Amount Due	Amount Paid	Balance	Amount Hold	Garnish Party
ACTIVE	N	AOCC	C001	000	\$15.12	\$15.12	\$0.00	\$0.00 0	
ACTIVE	N	CONV	C001	000	\$0.00	\$18.44	\$0.00	\$0.00 0	
ACTIVE	N	CVAP	C001	000	\$100.00	\$100.00	\$0.00	\$0.00 0	
ACTIVE	N	CV05	C001	000	\$301.00	\$301.00	\$0.00	\$0.00 0	
ACTIVE	N	VADM	C001	000	\$45.00	\$45.00	\$0.00	\$0.00 0	
Total:					\$461.12	\$479.56	-\$18.44	\$0.00	

Financial History

Transaction Date	Description	Disbursement Account	Transaction Batch	Receipt Number	Amount	From Party	To Party	Money Type	Admin Fee	Reason	Attorney	Operator
11/08/2021	CREDIT	CONV	2022028	2399120	\$18.44	C001	000		N		ALL	
11/08/2021	RECEIPT	AOCC	2022028	2399110	\$15.12	C001	000		N		ALL	
11/08/2021	RECEIPT	CVAP	2022028	2399130	\$100.00	C001	000		N		ALL	
11/08/2021	RECEIPT	CV05	2022028	2399140	\$301.00	C001	000		N		ALL	
11/08/2021	RECEIPT	VADM	2022028	2399150	\$45.00	C001	000		N		ALL	

Case Action Summary

Date:	Time	Code	Comments	Operator
11/5/2021	3:39 PM	ECOMP	COMPLAINT E-FILED.	MEZ02
11/5/2021	3:40 PM	FILE	FILED THIS DATE: 11/05/2021 (AV01)	AJA
11/5/2021	3:40 PM	EORD	E-ORDER FLAG SET TO "Y" (AV01)	AJA
11/5/2021	3:40 PM	ASSJ	ASSIGNED TO JUDGE: SONNY J STEEN (AV01)	AJA
11/5/2021	3:40 PM	SCAN	CASE SCANNED STATUS SET TO: N (AV01)	AJA
11/5/2021	3:40 PM	TDMN	BENCH/NON-JURY TRIAL REQUESTED (AV01)	AJA
11/5/2021	3:40 PM	STAT	CASE ASSIGNED STATUS OF: ACTIVE (AV01)	AJA
11/5/2021	3:40 PM	ORIG	ORIGIN: INITIAL FILING (AV01)	AJA

11/5/2021	3:40 PM	C001	C001 PARTY ADDED: GREEN NICK (AV02)	AJA
11/5/2021	3:40 PM	C001	INDIGENT FLAG SET TO: N (AV02)	AJA
11/5/2021	3:40 PM	C001	LISTED AS ATTORNEY FOR C001: MEZRANO STEVEN MICHA	AJA
11/5/2021	3:40 PM	C001	LISTED AS ATTORNEY FOR C001: ADAMS ERIN GANEY	AJA
11/5/2021	3:40 PM	C001	C001 E-ORDER FLAG SET TO "Y" (AV02)	AJA
11/5/2021	3:40 PM	C002	LISTED AS ATTORNEY FOR C002: ADAMS ERIN GANEY	AJA
11/5/2021	3:40 PM	C002	C002 E-ORDER FLAG SET TO "Y" (AV02)	AJA
11/5/2021	3:40 PM	C002	C002 PARTY ADDED: GREEN MATT (AV02)	AJA
11/5/2021	3:40 PM	C002	LISTED AS ATTORNEY FOR C002: MEZRANO STEVEN MICHA	AJA
11/5/2021	3:40 PM	C002	INDIGENT FLAG SET TO: N (AV02)	AJA
11/5/2021	3:40 PM	D001	LISTED AS ATTORNEY FOR D001: PRO SE (AV02)	AJA
11/5/2021	3:40 PM	D001	D001 E-ORDER FLAG SET TO "Y" (AV02)	AJA
11/5/2021	3:40 PM	D001	INDIGENT FLAG SET TO: N (AV02)	AJA
11/5/2021	3:40 PM	D001	CERTIFIED MAI ISSUED: 11/05/2021 TO D001 (AV02)	AJA
11/5/2021	3:40 PM	D001	D001 PARTY ADDED: OMNITRAX, INC. (AV02)	AJA
11/5/2021	3:40 PM	D002	CERTIFIED MAI ISSUED: 11/05/2021 TO D002 (AV02)	AJA
11/5/2021	3:40 PM	D002	INDIGENT FLAG SET TO: N (AV02)	AJA
11/5/2021	3:40 PM	D002	D002 E-ORDER FLAG SET TO "Y" (AV02)	AJA
11/5/2021	3:40 PM	D002	LISTED AS ATTORNEY FOR D002: PRO SE (AV02)	AJA
11/5/2021	3:40 PM	D002	D002 PARTY ADDED: ALABAMA & TENNESSEE RIVER RAILWA	AJA
11/5/2021	3:56 PM	C001	CASE ACTION SUMMARY PRINTED (AV02)	ALL
11/10/2021	12:22 PM	D002	SERVICE OF CERTIFIED MAI ON 11/10/2021 FOR D002	AJA
11/10/2021	12:22 PM	ESERC	SERVICE RETURN - D002 - COMPLAINT	
11/10/2021	12:22 PM	---	SCANNED - SERVICE RETURN - TRANSMITTAL - E-NOTICE TRANSMITTALS	
11/15/2021	6:25 PM	D001	SERVICE OF CERTIFIED MAI ON 11/15/2021 FOR D001	AJA
11/15/2021	6:25 PM	ESERC	SERVICE RETURN - D001 - COMPLAINT	

Images

Date	Doc#	Title	Description	Pages
11/5/2021 3:40:03 PM	1	CIVIL_COVER_SHEET	CIRCUIT COURT - CIVIL CASE	1
11/5/2021 3:40:03 PM	2	COMPLAINT		18
11/5/2021 3:41:09 PM	3	COMPLAINT - TRANSMITTAL	E-NOTICE TRANSMITTALS	3
11/5/2021 3:41:09 PM	4	COMPLAINT - SUMMONS	E-NOTICE TRANSMITTALS	2
11/10/2021 12:22:38 PM	5	SERVICE RETURN	SERVICE RETURN - D002 - COMPLAINT	1
11/10/2021 12:22:44 PM	6	SERVICE RETURN - TRANSMITTAL	E-NOTICE TRANSMITTALS	4
11/15/2021 6:25:53 PM	7	SERVICE RETURN	SERVICE RETURN - D001 - COMPLAINT	1
11/15/2021 6:25:56 PM	8	SERVICE RETURN - TRANSMITTAL	E-NOTICE TRANSMITTALS	4

 **END OF THE REPORT**



ELECTRONICALLY FILED
11/5/2021 3:39 PM
31-CV-2021-900523.00
CIRCUIT COURT OF
ETOWAH COUNTY, ALABAMA
CASSANDRA JOHNSON, CLERK

State of Alabama Unified Judicial System Form AR Civ-93 Rev. 9/18	COVER SHEET CIRCUIT COURT - CIVIL CASE (Not For Domestic Relations Cases)	Case No: 31 Date of Filing: 11/05/2021 Judge Code:
---	---	---

GENERAL INFORMATION

IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA
NICK GREEN ET AL v. OMNITRAX, INC. ET AL

First Plaintiff: Business Individual
 Government Other

First Defendant: Business Individual
 Government Other

NATURE OF SUIT: Select primary cause of action, by checking box (check only one) that best characterizes your action:

TORTS: PERSONAL INJURY

- WDEA - Wrongful Death
- TONG - Negligence: General
- TOMV - Negligence: Motor Vehicle
- TOWA - Wantonness
- TOPL - Product Liability/AEMLD
- TOMM - Malpractice-Medical
- TOLM - Malpractice-Legal
- TOOM - Malpractice-Other
- TBFM - Fraud/Bad Faith/Misrepresentation
- TOXX - Other: _____

TORTS: PERSONAL INJURY

- TOPE - Personal Property
- TORE - Real Property

OTHER CIVIL FILINGS

- ABAN - Abandoned Automobile
- ACCT - Account & Nonmortgage
- APAA - Administrative Agency Appeal
- ADPA - Administrative Procedure Act
- ANPS - Adults in Need of Protective Service

OTHER CIVIL FILINGS (cont'd)

- MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/Enforcement of Agency Subpoena/Petition to Preserve
- CVRT - Civil Rights
- COND - Condemnation/Eminent Domain/Right-of-Way
- CTMP - Contempt of Court
- CONT - Contract/Ejectment/Writ of Seizure
- TOCN - Conversion
- EQND - Equity Non-Damages Actions/Declaratory Judgment/Injunction Election Contest/Quiet Title/Sale For Division
- CVUD - Eviction Appeal/Unlawful Detainer
- FORJ - Foreign Judgment
- FORF - Fruits of Crime Forfeiture
- MSHC - Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition
- PFAB - Protection From Abuse
- EPFA - Elder Protection From Abuse
- QTLB - Quiet Title Land Bank
- FELA - Railroad/Seaman (FELA)
- RPRO - Real Property
- WTEG - Will/Trust/Estate/Guardianship/Conservatorship
- COMP - Workers' Compensation
- CVXX - Miscellaneous Circuit Civil Case

ORIGIN: F INITIAL FILING

A APPEAL FROM
DISTRICT COURT

O OTHER

R REMANDED

T TRANSFERRED FROM
OTHER CIRCUIT COURT

HAS JURY TRIAL BEEN DEMANDED? YES NO

Note: Checking "Yes" does not constitute a demand for a jury trial. (See Rules 38 and 39, Ala.R.Civ.P., for procedure)

RELIEF REQUESTED: MONETARY AWARD REQUESTED NO MONETARY AWARD REQUESTED

ATTORNEY CODE:

MEZ002

11/5/2021 3:39:58 PM

Date

/s/ STEVEN M MEZRANO

Signature of Attorney/Party filing this form

MEDIATION REQUESTED: YES NO UNDECIDED

Election to Proceed under the Alabama Rules for Expedited Civil Actions:

YES NO



ELECTRONICALLY FILED
11/5/2021 3:39 PM
31-CV-2021-900523.00
CIRCUIT COURT OF
ETOWAH COUNTY, ALABAMA
CASSANDRA JOHNSON, CLERK

IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

NICK GREEN;
MATT GREEN;

Plaintiffs,

v.

OMNITRAX, INC.;
ALABAMA & TENNESSEE RIVER
RAILWAY, LLC;

FICTITIOUS DEFENDANTS A, B and C, whether singular or plural, that person, firm, corporation, or entity, of which was engaged in construction activities, railway activities, design, repair, replacement, installation, and/or the like, on Locust Street, between N 2nd Street and N 1st Street, Gadsden, Etowah County, Alabama, (hereinafter referred to as "Locust Street") on or around November 6, 2019; **FICTITIOUS DEFENDANTS D, E and F**, whether singular or plural, that person, firm, corporation, or entity, responsible for maintaining, inspecting, repairing, replacing, installing, or equipping the railway on Locust Street on the occasion made the basis of this suit; **FICTITIOUS DEFENDANTS G, H and I**, whether singular or plural, that person, firm, corporation, or entity, who or which owned, operated, and or maintained the section of railway on Locust Street on the occasion made the basis of this suit; **FICTITIOUS DEFENDANTS J, K and L**, whether singular or plural, that person, firm, corporation, or entity, who or which owned, operated, designed, supervised, inspected, repaired, replaced, installed, maintained, and equipped the section of railway, roadway, and or surrounding areas on Locust Street on the occasion made the basis of this suit; **FICTITIOUS DEFENDANTS M, N and O**, whether singular or plural, that person, firm, corporation, or entity, on whose behalf the construction and or railway activities where performed on the occasion made the basis of this suit; **FICTITIOUS DEFENDANTS P, Q and R**, whether singular or plural, that person, firm, corporation, or entity, who or which insured the party(ies) causing damages the Plaintiffs made the basis of this lawsuit occurred; **FICTITIOUS DEFENDANTS S, T and U**, whether singular or plural, is that person, firm, corporation, or entity, who or which negligently entrusted the construction and or railway activities performed on the occasions made the basis of this lawsuit; **FICTITIOUS DEFENDANTS V, W and X**, whether singular or plural, that person, firm, corporation, or entity, who or which was responsible for the hiring, training, and supervision of employees, agents, contactors, subcontractors and/or affiliates for construction and or railway activities on the occasion made the basis of this suit; **FICTITIOUS DEFENDANTS Y, Z and AA**, whether singular or plural, that person, firm, corporation, or entity, who or which destroyed, discarded, concealed, fabricated, altered or otherwise spoliated evidence relevant to the incident made the basis of this suit; **FICTITIOUS DEFENDANTS BB, CC and DD**, whether singular or plural, that person, firm, corporation, or entity, whose negligence, wantonness, willfulness and/or otherwise wrongful conduct caused the incident and damages made the basis of this suit; **FICTITIOUS DEFENDANTS EE, FF and GG**, whether singular or plural, that person, firm, corporation, or entity, that is the true and correct name or names of the Defendant

CIVIL ACTION NO.:

31-CV-2021-

Green, et al. v. OmniTrax, Inc. et al.
Complaint
Page 2 of 18

designated herein as OMNITRAX, INC, ALABAMA & TENNESSEE RIVER RAILWAY, LLC; **FICTITIOUS DEFENDANTS HH, II and JJ**, whether singular or plural, that person, firm or corporation which is the successor-in-interest of any of the named or above-described Fictitious Party Defendants; **FICTITIOUS DEFENDANTS KK, LL and MM**, whether singular or plural, that person, firm or corporation which is the predecessor-in-interest of any of the named or above-described Fictitious Party Defendants; **FICTITIOUS DEFENDANTS NN, OO and PP**, whether singular or plural, that person, firm, corporation, or entity, who or which was acting as an agent, employee, servant, contractor, and/or subcontractor of and for any of the above-named Defendants or above-described Fictitious Party Defendants at the times of the occurrences made the basis of this lawsuit; The identities of the Fictitious Party Defendants are otherwise unknown to Plaintiffs at this time, or if their names are known to Plaintiffs at this time, their identities as proper party Defendants are not known to Plaintiffs at this time, but their true names will be substituted by amendment when ascertained.

)
Defendants.)

COMPLAINT

COMES NOW, the Plaintiffs in the above-styled cause, and make the following Complaint for injuries and damages suffered as a result of a motor vehicle incident that occurred on or about November 6, 2019:

1. The Plaintiff, **NICK GREEN**, is of legal age and is a resident and citizen of Etowah County, Alabama.
2. The Plaintiff, **MATT GREEN**, is of legal age and is a resident and citizen of Etowah County, Alabama.
3. The Defendant, **OMNITRAX, INC.**, (hereinafter referred to as “**OMNITRAX**”), is a foreign corporation duly existing under and by virtue of the laws of the State of Colorado. Omnitrax is an owner/operator of railway that runs throughout Etowah County, Alabama.
4. The Defendant, **ALABAMA & TENNESSEE RIVER RAILWAY, LLC.**, (hereinafter referred to as “**ATN**”), is a foreign limited liability company duly

Green, et al. v. OmniTrax, Inc. et al.
Complaint
Page 3 of 18

existing under and by virtue of the laws of the State of Colorado. ATN is an owner/operator of railway that runs throughout Etowah County, Alabama, and its operations office is located at 3425 Forrest Avenue, Gadsden, Etowah County, Alabama 35904.

5. FICTITIOUS DEFENDANTS A, B and C, whether singular or plural, that person, firm, corporation, or entity, of which was engaged in construction activities, railway activities, design, repair, replacement, installation, and/or the like, on Locust Street, between N 2nd Street and N 1st Street, Gadsden, Etowah County, Alabama, (hereinafter referred to as "Locust Street") on or around November 6, 2019; FICTITIOUS DEFENDANTS D, E and F, whether singular or plural, that person, firm, corporation, or entity, responsible for maintaining, inspecting, repairing, replacing, installing, or equipping the railway on Locust Street on the occasion made the basis of this suit; FICTITIOUS DEFENDANTS G, H and I, whether singular or plural, that person, firm, corporation, or entity, who or which owned, operated, and or maintained the section of railway on Locust Street on the occasion made the basis of this suit; FICTITIOUS DEFENDANTS J, K and L, whether singular or plural, that person, firm, corporation, or entity, who or which owned, operated, designed, supervised, inspected, repaired, replaced, installed, maintained, and equipped the section of railway, roadway, and or surrounding areas on Locust Street on the occasion made the basis of this suit; FICTITIOUS DEFENDANTS M, N and O, whether singular or plural, that person, firm, corporation, or entity, on whose behalf the construction and or railway activities where performed on the occasion made the basis of this suit; FICTITIOUS DEFENDANTS P, Q and R, whether singular or plural, that person, firm, corporation, or entity, who or which insured the party(ies) causing damages the Plaintiffs made the basis of this lawsuit occurred; FICTITIOUS DEFENDANTS S, T and U, whether

Green, et al. v. OmniTrax, Inc. et al.
Complaint
Page 4 of 18

singular or plural, is that person, firm, corporation, or entity, who or which negligently entrusted the construction and or railway activities performed on the occasions made the basis of this lawsuit; FICTITIOUS DEFENDANTS V, W and X, whether singular or plural, that person, firm, corporation, or entity, who or which was responsible for the hiring, training, and supervision of employees, agents, contactors, subcontractors and/or affiliates for construction and or railway activities on the occasion made the basis of this suit; FICTITIOUS DEFENDANTS Y, Z and AA, whether singular or plural, that person, firm, corporation, or entity, who or which destroyed, discarded, concealed, fabricated, altered or otherwise spoliated evidence relevant to the incident made the basis of this suit; FICTITIOUS DEFENDANTS BB, CC and DD, whether singular or plural, that person, firm, corporation, or entity, whose negligence, wantonness, willfulness and/or otherwise wrongful conduct caused the incident and damages made the basis of this suit; FICTITIOUS DEFENDANTS EE, FF and GG, whether singular or plural, that person, firm, corporation, or entity, that is the true and correct name or names of the Defendant designated herein as OMNITRAX; ATN; FICTITIOUS DEFENDANTS HH, II and JJ, whether singular or plural, that person, firm or corporation which is the successor-in-interest of any of the named or above-described Fictitious Party Defendants; FICTITIOUS DEFENDANTS KK, LL and MM, whether singular or plural, that person, firm or corporation which is the predecessor-in-interest of any of the named or above-described Fictitious Party Defendants; FICTITIOUS DEFENDANTS NN, OO and PP, whether singular or plural, that person, firm, corporation, or entity, who or which was acting as an agent, employee, servant, contractor, and/or subcontractor of and for any of the above-named Defendants or above-described Fictitious Party Defendants at the times of the

Green, et al. v. OmniTrax, Inc. et al.
Complaint
Page 5 of 18

occurrences made the basis of this lawsuit; The identities of the Fictitious Party Defendants are otherwise unknown to Plaintiffs at this time, or if their names are known to Plaintiffs at this time, their identities as proper party Defendants are not known to Plaintiffs at this time, but their true names will be substituted by amendment when ascertained.

6. On or about the times alleged and at some time prior thereto, the above Fictitiously described Party Defendants, whose identities are unknown, proximately caused or contributed to the Plaintiffs' injuries and damages hereinafter described, either through negligent or wanton conduct, breach of contract or any application of theories of liability hereinafter alleged.

7. On or about November 6, 2019, the Plaintiff, NICK GREEN, was operating a 2014 Dodge 2500 and traveling on Locust Street in Gadsden, Etowah County, Alabama. The Plaintiff, MATT GREEN, was a passenger in Nick Green's vehicle. As they were traveling along Locust Street, between the intersections of N 2nd Avenue and N 1st Avenue, a piece of the railway track, pan, and or rail material running along Locust Street struck the rear driver's side of Nick Green's vehicle. The Defendants OMNITRAX; ATN; and/or Fictitious Party Defendants listed and described herein, failed to properly construct, design, supervise, repair, replace, install, inspect, maintain, and/or the like, the railway, roadway, and/or surrounding areas of Locust Street causing an unsafe and hazardous condition, and injuries to the Plaintiffs.

COUNT ONE
(Negligence)

8. Plaintiffs adopt and incorporate by reference all the foregoing language of this Complaint and further avers as follows:

*Green, et al. v. OmniTrax, Inc. et al.
Complaint
Page 6 of 18*

9. On or about November 6, 2019, Defendants OMNITRAX; ATN; and/or Fictitious Party Defendants, had a duty to properly construct, design, supervise, repair, replace, install, inspect, maintain, and/or the like, the railway, roadway, and/or and surrounding areas of Locust Street.

10. On or about November 6, 2019, Defendants OMNITRAX; ATN; and/or Fictitious Party Defendants, breached that duty when they caused or allowed an unsafe and hazardous condition on the railway, roadway, and/or and surrounding areas of Locust Street. Defendants failed to warn of the hazardous condition.

11. As a direct and proximate consequence of the negligent acts of the Defendants OMNITRAX, ATN; and/or Fictitious Party Defendants, the Plaintiff, NICK GREEN, was injured and damaged as follows:

- a) He was caused to suffer injury to his neck, back, and other parts of his body.
- b) He was caused to suffer various injuries, bruises and contusions on or about his body.
- c) He was forced to seek medical treatment, which continues and is expected to continue into the future.
- d) He was caused and will be caused in the future to expend sums of money in the nature of doctor, hospital, drug and other expenses in and about an effort to cure his injuries.
- e) He was caused and will be caused in the future to suffer great physical pain and mental anguish as a result of his injuries.
- f) He was caused to suffer loss of the pleasures and enjoyment of life.
- g) He was caused to suffer damages to and loss of his vehicle.

Green, et al. v. OmniTrax, Inc. et al.
Complaint
Page 7 of 18

12. As a direct and proximate consequence of the negligent acts of the Defendants OMNITRAX, ATN; and/or Fictitious Party Defendants, the Plaintiff, MATT GREEN, was injured and damaged as follows:

- a) He was caused to suffer injury to his head, left shoulder, left knee (tibial plateau fracture), and other parts of his body.
- b) He was caused to suffer various injuries, bruises and contusions on or about his body.
- c) He was forced to seek medical treatment, which continues and is expected to continue into the future.
- d) He was caused and will be caused in the future to expend sums of money in the nature of doctor, hospital, drug and other expenses in and about an effort to cure his injuries.
- e) He was caused and will be caused in the future to suffer great physical pain and mental anguish as a result of his injuries.
- f) He was caused to suffer loss of the pleasures and enjoyment of life.

WHEREFORE, PREMISES CONSIDERED, the Plaintiffs demand judgment against the named Defendants and/or Fictitious Party Defendants, jointly and severally, for a reasonable sum of money based upon the facts and circumstances of this particular matter, plus costs and interest, and such other and further relief to which they may be entitled.

COUNT TWO
(Wantonness and Reckless Conduct)

13. Plaintiffs adopt and incorporate by reference all the foregoing language of this Complaint and further avers as follows:

Green, et al. v. OmniTrax, Inc. et al.
Complaint
Page 8 of 18

14. On or about November 6, 2019, Defendants OMNITRAX; ATN; and/or Fictitious Party Defendants, had a duty to properly construct, design, supervise, repair, replace, install, inspect, maintain, and/or the like, the railway, roadway, and/or surrounding areas of Locust Street.

15. On or about November 6, 2019, Defendants OMNITRAX; ATN; and/or Fictitious Party Defendants, wantonly and recklessly breached that duty when they caused or allowed an unsafe and hazardous condition on the railway, roadway, and/or surrounding areas of Locust Street. Defendants failed to warn of the hazardous condition.

16. As a proximate consequence of the wanton acts of the Defendants OMNITRAX; ATN; and/or Fictitious Party Defendants, the Plaintiff, NICK GREEN, was injured and damaged as follows:

- a) He was caused to suffer injury to his neck, back, and other parts of his body.
- b) He was caused to suffer various injuries, bruises and contusions on or about his body.
- c) He was forced to seek medical treatment, which continues and is expected to continue into the future.
- d) He was caused and will be caused in the future to expend sums of money in the nature of doctor, hospital, drug and other expenses in and about an effort to cure his injuries.
- e) He was caused and will be caused in the future to suffer great physical pain and mental anguish as a result of his injuries.
- f) He was caused to suffer loss of the pleasures and enjoyment of life.
- g) He was caused to suffer damages to and loss of his vehicle.

Green, et al. v. OmniTrax, Inc. et al.
Complaint
Page 9 of 18

17. As a direct and proximate consequence of the wanton acts of the Defendants OMNITRAX, ATN; and/or Fictitious Party Defendants, the Plaintiff, MATT GREEN, was injured and damaged as follows:

- a) He was caused to suffer injury to his head, left shoulder, left knee (tibial plateau fracture), and other parts of his body.
- b) He was caused to suffer various injuries, bruises and contusions on or about his body.
- c) He was forced to seek medical treatment, which continues and is expected to continue into the future.
- d) He was caused and will be caused in the future to expend sums of money in the nature of doctor, hospital, drug and other expenses in and about an effort to cure his injuries.
- e) He was caused and will be caused in the future to suffer great physical pain and mental anguish as a result of his injuries.
- f) He was caused to suffer loss of the pleasures and enjoyment of life.

WHEREFORE, PREMISES CONSIDERED, the Plaintiffs demand judgment against the named Defendants and/or Fictitious Party Defendants, jointly and severally, for a reasonable sum of money based upon the facts and circumstances of this particular matter, plus costs and interest, and such other and further relief to which they may be entitled. Further, the Plaintiffs seek punitive damages to punish those exhibiting reckless and wanton conduct related to this event.

COUNT THREE
(Negligent Entrustment)

Green, et al. v. OmniTrax, Inc. et al.
Complaint
Page 10 of 18

18. The Plaintiffs herein adopt and incorporate by reference each and every averment in the preceding paragraphs as set herein and further alleges as follows:

19. The Plaintiffs aver that, upon information and belief, at the aforesaid time and place, Defendants OMNITRAX and ATN; negligently and/or wantonly entrusted Fictitious Party Defendants A thru GO to construct, design, supervise, repair, replace, install, inspect, maintain, and/or the like, the railway, roadway, and/or surrounding areas of Locust Street.

20. That Defendants OMNITRAX and ATN knew or should have known that Fictitious Party Defendants A thru GO were incompetent, reckless, inexperienced, heedless or otherwise careless or incapacitated to properly perform construction and railway activities.

21. That as a direct and proximate result of the Defendants' negligent entrustment, the Plaintiff, NICK GREEN, was injured and damaged as follows:

- a) He was caused to suffer injury to his neck, back, and other parts of his body.
- b) He was caused to suffer various injuries, bruises and contusions on or about his body.
- c) He was forced to seek medical treatment, which continues and is expected to continue into the future.
- d) He was caused and will be caused in the future to expend sums of money in the nature of doctor, hospital, drug and other expenses in and about an effort to cure his injuries.
- e) He was caused and will be caused in the future to suffer great physical pain and mental anguish as a result of his injuries.

Green, et al. v. OmniTrax, Inc. et al.
Complaint
Page 11 of 18

f) He was caused to suffer loss of the pleasures and enjoyment of life.

g) He was caused to suffer damages to and loss of his vehicle.

22. As a direct and proximate result of the Defendants' negligent entrustment, the Plaintiff, MATT GREEN, was injured and damaged as follows:

- a) He was caused to suffer injury to his head, left shoulder, left knee (tibial plateau fracture), and other parts of his body.
- b) He was caused to suffer various injuries, bruises and contusions on or about his body.
- c) He was forced to seek medical treatment, which continues and is expected to continue into the future.
- d) He was caused and will be caused in the future to expend sums of money in the nature of doctor, hospital, drug and other expenses in and about an effort to cure his injuries.
- e) He was caused and will be caused in the future to suffer great physical pain and mental anguish as a result of his injuries.
- f) He was caused to suffer loss of the pleasures and enjoyment of life.

WHEREFORE, PREMISES CONSIDERED, the Plaintiffs demand judgment against the named Defendants and/or Fictitious Party Defendants, jointly and severally, for a reasonable sum of money based upon the facts and circumstances of this particular matter, plus costs and interest, and such other and further relief to which they may be entitled.

COUNT FOUR

(Negligent Hiring, Training and Supervision/Agency/Respondeat Superior)

23. The Plaintiffs herein adopt and incorporate by reference the allegations of

*Green, et al. v. OmniTrax, Inc. et al.
Complaint
Page 12 of 18*

the preceding paragraphs of the Complaint.

24. At the times set forth hereinabove, Defendants OMNITRAX; ATN; and/or Fictitious Party Defendants, had the authority and duty to properly hire, train, subcontract, and/or supervise its employees and/or agents and/or subcontractors to properly construct, design, supervise, repair, replace, install, inspect, maintain, and/or the like, the railway, roadway, and/or surrounding areas of Locust Street.

25. At the times set forth hereinabove, the Defendants OMNITRAX; ATN; and/or Fictitious Party Defendants listed and described hereinabove, negligently, wantonly and/or recklessly exercised or failed to exercise said supervisory control and said negligent, wanton and/or reckless conduct was a proximate cause of Plaintiff, NICK GREEN, was injured and damaged as follows:

- a) He was caused to suffer injury to his neck, back, and other parts of his body.
- b) He was caused to suffer various injuries, bruises and contusions on or about his body.
- c) He was forced to seek medical treatment, which continues and is expected to continue into the future.
- d) He was caused and will be caused in the future to expend sums of money in the nature of doctor, hospital, drug and other expenses in and about an effort to cure his injuries.
- e) He was caused and will be caused in the future to suffer great physical pain and mental anguish as a result of his injuries.
- f) He was caused to suffer loss of the pleasures and enjoyment of life.
- g) He was caused to suffer damages to and loss of his vehicle.

Green, et al. v. OmniTrax, Inc. et al.
Complaint
Page 13 of 18

26. At the times set forth hereinabove, the Defendants OMNITRAX; ATN; and/or Fictitious Party Defendants listed and described hereinabove, negligently, wantonly and/or recklessly exercised or failed to exercise said supervisory control and said negligent, wanton and/or reckless conduct was a proximate cause of Plaintiff, MATT GREEN, was injured and damaged as follows:

- a) He was caused to suffer injury to his head, left shoulder, left knee (tibial plateau fracture), and other parts of his body.
- b) He was caused to suffer various injuries, bruises and contusions on or about his body.
- c) He was forced to seek medical treatment, which continues and is expected to continue into the future.
- d) He was caused and will be caused in the future to expend sums of money in the nature of doctor, hospital, drug and other expenses in and about an effort to cure his injuries.
- e) He was caused and will be caused in the future to suffer great physical pain and mental anguish as a result of his injuries.
- f) He was caused to suffer loss of the pleasures and enjoyment of life.

27. The Defendants OMNITRAX; ATN; and/or Fictitious Party Defendants listed and described hereinabove, is vicariously liable under the doctrine of respondeat superior and/or ratification for the negligent and wanton acts of its employees/agents/subcontractors/servants.

WHEREFORE, PREMISES CONSIDERED, the Plaintiffs demand judgment against the named Defendants and/or Fictitious Party Defendants, jointly and severally, for

Green, et al. v. OmniTrax, Inc. et al.
Complaint
Page 14 of 18

a reasonable sum of money based upon the facts and circumstances of this particular matter, plus costs and interest, and such other and further relief to which they may be entitled.

COUNT FIVE
(Premise Liability)

28. The Plaintiffs herein adopt and incorporate by reference the allegations of the preceding paragraphs of the Complaint.

29. The Plaintiffs were traveling along Locus Street which housed railway owned, operated and controlled by Defendants OMNITRAX and ATN.

30. Defendants OMNITRAX; ATN; and/or Fictitious Party Defendants listed and described herein created an unsafe, dangerous, and hazardous condition to the railway, roadway, and/or surrounding areas of Locust Street. Defendants failed to warn of the hazardous condition.

31. As a proximate result of the Defendants OMNITRAX; ATN; and/or Fictitious Party Defendants' wrongful conduct, the Plaintiff, NICK GREEN, was injured and damaged as follows:

- a) He was caused to suffer injury to his neck, back, and other parts of his body.
- b) He was caused to suffer various injuries, bruises and contusions on or about his body.
- c) He was forced to seek medical treatment, which continues and is expected to continue into the future.
- d) He was caused and will be caused in the future to expend sums of money in the nature of doctor, hospital, drug and other expenses in and about an effort to cure his injuries.

Green, et al. v. OmniTrax, Inc. et al.
Complaint
Page 15 of 18

- e) He was caused and will be caused in the future to suffer great physical pain and mental anguish as a result of his injuries.
- f) He was caused to suffer loss of the pleasures and enjoyment of life.
- g) He was caused to suffer damages to and loss of his vehicle.

32. As a proximate result of the Defendants OMNITRAX; ATN; and/or Fictitious Party Defendants' wrongful conduct, the Plaintiff, MATT GREEN, was injured and damaged as follows:

- a) He was caused to suffer injury to his head, left shoulder, left knee (tibial plateau fracture), and other parts of his body.
- b) He was caused to suffer various injuries, bruises and contusions on or about his body.
- c) He was forced to seek medical treatment, which continues and is expected to continue into the future.
- d) He was caused and will be caused in the future to expend sums of money in the nature of doctor, hospital, drug and other expenses in and about an effort to cure his injuries.
- e) He was caused and will be caused in the future to suffer great physical pain and mental anguish as a result of his injuries.
- f) He was caused to suffer loss of the pleasures and enjoyment of life.

WHEREFORE, PREMISES CONSIDERED, the Plaintiffs demand judgment against the named Defendants and/or Fictitious Party Defendants, jointly and severally, for a reasonable sum of money based upon the facts and circumstances of this particular matter, plus costs and interest, and such other and further relief to which they may be entitled.

*Green, et al. v. OmniTrax, Inc. et al.
Complaint
Page 16 of 18*

COUNT SIX
(Fictitious Party Defendants)

33. Plaintiffs adopt and incorporate by reference all the foregoing language of this Complaint and additionally makes all possible tort claims available under Alabama law against all fictitious parties.

34. As a proximate result of the Fictitious Party Defendants', Defendants OMNITRAX, ATN'S wrongful conduct, the Plaintiff, NICK GREEN, was injured and damaged as follows:

- a) He was caused to suffer injury to his neck, back, and other parts of his body.
- b) He was caused to suffer various injuries, bruises and contusions on or about his body.
- c) He was forced to seek medical treatment, which continues and is expected to continue into the future.
- d) He was caused and will be caused in the future to expend sums of money in the nature of doctor, hospital, drug and other expenses in and about an effort to cure his injuries.
- e) He was caused and will be caused in the future to suffer great physical pain and mental anguish as a result of his injuries.
- f) He was caused to suffer loss of the pleasures and enjoyment of life.
- g) He was caused to suffer damages to and loss of his vehicle.

35. As a proximate result of the Fictitious Party Defendants', Defendants OMNITRAX, ATN'S wrongful conduct, the Plaintiff, MATT GREEN, was injured and damaged as follows:

Green, et al. v. OmniTrax, Inc. et al.
Complaint
Page 17 of 18

- a) He was caused to suffer injury to his head, left shoulder, left knee (tibial plateau fracture), and other parts of his body.
- b) He was caused to suffer various injuries, bruises and contusions on or about his body.
- c) He was forced to seek medical treatment, which continues and is expected to continue into the future.
- d) He was caused and will be caused in the future to expend sums of money in the nature of doctor, hospital, drug and other expenses in and about an effort to cure his injuries.
- e) He was caused and will be caused in the future to suffer great physical pain and mental anguish as a result of his injuries.
- f) He was caused to suffer loss of the pleasures and enjoyment of life.

WHEREFORE, PREMISES CONSIDERED, the Plaintiffs demand judgment against the named Defendants and/or Fictitious Party Defendants, jointly and severally, for a reasonable sum of money based upon the facts and circumstances of this particular matter, plus costs and interest, and such other and further relief to which they may be entitled. Further, the Plaintiffs seek punitive damages to punish those exhibiting reckless and wanton conduct related to this event.

Respectfully Submitted,

/s/ Steven M. Mezrano

STEVEN M. MEZRANO (MEZ002)

/s/ Erin G. Adams

ERIN G. ADAMS (ADA080)

Attorneys for Plaintiff

Green, et al. v. OmniTrax, Inc. et al.
Complaint
Page 18 of 18

OF COUNSEL:

The Mezrano Law Firm, P.C.
31 Inverness Center Parkway, Suite 350
Birmingham, Alabama 35242
P (205) 206-6300
F (205) 206-6301
steven@mezrano.com
erin@mezrano.com

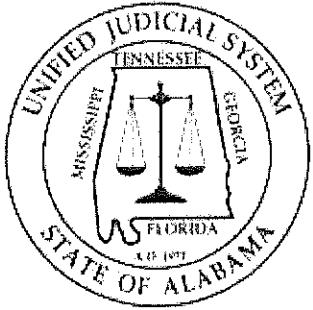
PLAINTIFFS' ADDRESS:

NICK GREEN
MATT GREEN
c/o The Mezrano Law Firm, P.C.
31 Inverness Center Parkway, Suite 350
Birmingham, Alabama 35242

**PLEASE SERVE THE SUMMONS AND COMPLAINT BY CERTIFIED MAIL
AT THE FOLLOWING ADDRESSES:**

OMNITRAX, INC.
c/o Don Van Wyk
252 Clayton Street, 4th Floor
Denver, Colorado 80206

ALABAMA & TENNESSEE RIVER RAILWAY, LLC
c/o CT Corporation System
2 North Jackson Street, Suite 605
Montgomery, Alabama 36104



AlaFile E-Notice

31-CV-2021-900523.00

To: STEVEN M MEZRANO
steven@mezrano.com

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

NICK GREEN ET AL V. OMNITRAX, INC. ET AL

31-CV-2021-900523.00

The following complaint was FILED on 11/5/2021 3:40:03 PM

Notice Date: 11/5/2021 3:40:03 PM

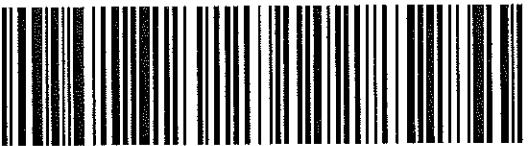
CASSANDRA JOHNSON
CIRCUIT COURT CLERK
ETOWAH COUNTY, ALABAMA
801 FORREST AVENUE
SUITE 202
GADSDEN, AL, 35901

256-549-2150



801 FORREST AVENUE
SUITE 202
GADSDEN, AL, 35901

USPS CERTIFIED MAIL



9214 8901 7301 4131 2100 0347 27

31-CV-2021-900523.00

To: OMNITRAX, INC.
C/O DON VAN WYK
252 CLAYTON STREET, 4TH F
DENVER, CO 80206

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

NICK GREEN ET AL V. OMNITRAX, INC. ET AL
31-CV-2021-900523.00

The following complaint was FILED on 11/5/2021 3:40:03 PM

Notice Date: 11/5/2021 3:40:03 PM

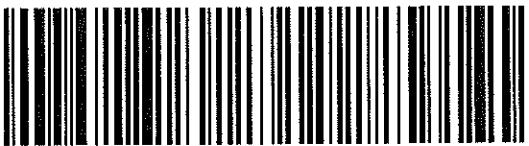
CASSANDRA JOHNSON
CIRCUIT COURT CLERK
ETOWAH COUNTY, ALABAMA
801 FORREST AVENUE
SUITE 202
GADSDEN, AL 35901

256-549-2150



801 FORREST AVENUE
SUITE 202
GADSDEN, AL, 35901

USPS CERTIFIED MAIL



9214 8901 7301 4131 2100 0347 34

31-CV-2021-900523.00

To: ALABAMA & TENNESSEE RIVER RAILWAY, LLC
C/O CT CORPORATION SYSTEM
2 N JACKSON ST, STE 605
MONTGOMERY, AL 36104

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

NICK GREEN ET AL V. OMNITRAX, INC. ET AL
31-CV-2021-900523.00

The following complaint was FILED on 11/5/2021 3:40:03 PM

Notice Date: 11/5/2021 3:40:03 PM

CASSANDRA JOHNSON
CIRCUIT COURT CLERK
ETOWAH COUNTY, ALABAMA
801 FORREST AVENUE
SUITE 202
GADSDEN, AL 35901
256-549-2150

State of Alabama Unified Judicial System Form C-34 Rev. 4/2017	SUMMONS - CIVIL -	Court Case Number 31-CV-2021-900523.00
IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA NICK GREEN ET AL V. OMNITRAX, INC. ET AL		
NOTICE TO: OMNITRAX, INC., C/O DON VAN WYK 252 CLAYTON STREET, 4TH F, DENVER, CO 80206 <small>(Name and Address of Defendant)</small>		
<p>THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S), STEVEN M MEZRANO</p> <p style="text-align: right;"><small>[Name(s) of Attorney(s)]</small></p> <p>WHOSE ADDRESS(ES) IS/ARE: 31 Inverness Center Parkway, Suite 350, Hoover, AL 35242</p> <p style="text-align: right;"><small>[Address(es) of Plaintiff(s) or Attorney(s)]</small></p> <p>THE ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.</p>		
TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL PROCEDURE TO SERVE PROCESS:		
<p><input type="checkbox"/> You are hereby commanded to serve this Summons and a copy of the Complaint or other document in this action upon the above-named Defendant.</p> <p><input checked="" type="checkbox"/> Service by certified mail of this Summons is initiated upon the written request of <u>NICK GREEN</u> pursuant to the Alabama Rules of the Civil Procedure.</p>		
<p>11/05/2021</p> <p style="text-align: center;"><small>(Date)</small></p>	<p>/s/ CASSANDRA JOHNSON</p> <p style="text-align: center;"><small>(Signature of Clerk)</small></p>	<p>By:</p> <p style="text-align: center;"><small>(Name)</small></p>
<p><input checked="" type="checkbox"/> Certified Mail is hereby requested.</p> <p>/s/ STEVEN M MEZRANO</p> <p style="text-align: center;"><small>(Plaintiff's/Attorney's Signature)</small></p>		
RETURN ON SERVICE		
<p><input type="checkbox"/> Return receipt of certified mail received in this office on _____</p> <p style="text-align: right;"><small>(Date)</small></p>		
<p><input type="checkbox"/> I certify that I personally delivered a copy of this Summons and Complaint or other document to _____</p> <p style="text-align: center;">in _____</p> <p style="text-align: right;">County, _____</p>		
<p>Alabama on _____</p> <p style="text-align: center;"><small>(Name of Person Served)</small></p> <p style="text-align: right;"><small>(Address of Server)</small></p>		
<p style="text-align: center;"><small>(Type of Process Server)</small></p>	<p style="text-align: center;"><small>(Server's Signature)</small></p>	<p style="text-align: center;"><small>(Server's Printed Name)</small></p> <p style="text-align: right;"><small>(Phone Number of Server)</small></p>

State of Alabama Unified Judicial System Form C-34 Rev. 4/2017	SUMMONS - CIVIL -	Court Case Number 31-CV-2021-900523.00												
IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA NICK GREEN ET AL V. OMNITRAX, INC. ET AL														
NOTICE TO: ALABAMA & TENNESSEE RIVER RAILWAY, LLC, C/O CT CORPORATION SYSTEM 2 N JACKSON ST, STE 605, MONTGOMERY, AL 36104 <hr/> <div style="text-align: center; margin-bottom: 5px;"> <small>(Name and Address of Defendant)</small> </div> <div style="text-align: center; margin-bottom: 5px;"> <small>THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S), STEVEN M MEZRANO</small> </div> <div style="text-align: center; margin-bottom: 5px;"> <small>[Name(s) of Attorney(s)]</small> </div> <div style="text-align: center; margin-bottom: 5px;"> <small>WHOSE ADDRESS(ES) IS/ARE: 31 Inverness Center Parkway, Suite 350, Hoover, AL 35242</small> </div> <div style="text-align: center; margin-bottom: 5px;"> <small>[Address(es) of Plaintiff(s) or Attorney(s)]</small> </div> <div style="text-align: center; margin-bottom: 5px;"> <small>THE ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.</small> </div> <div style="text-align: center; margin-bottom: 5px;"> TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL PROCEDURE TO SERVE PROCESS: </div> <div style="margin-bottom: 10px;"> <p><input type="checkbox"/> You are hereby commanded to serve this Summons and a copy of the Complaint or other document in this action upon the above-named Defendant.</p> </div> <div style="margin-bottom: 10px;"> <p><input checked="" type="checkbox"/> Service by certified mail of this Summons is initiated upon the written request of <u>NICK GREEN</u> <small>[Name(s)]</small> <small>pursuant to the Alabama Rules of the Civil Procedure.</small></p> </div> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="width: 30%;">11/05/2021</div> <div style="width: 30%;">/s/ CASSANDRA JOHNSON</div> <div style="width: 30%;">By: _____</div> </div> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="width: 30%;"><small>(Date)</small></div> <div style="width: 30%;"><small>(Signature of Clerk)</small></div> <div style="width: 30%;"><small>(Name)</small></div> </div> <div style="margin-bottom: 10px;"> <p><input checked="" type="checkbox"/> Certified Mail is hereby requested.</p> </div> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="width: 30%;"><small>/s/ STEVEN M MEZRANO</small></div> <div style="width: 30%;"><small>(Plaintiff's/Attorney's Signature)</small></div> </div> <tr> <td colspan="3" style="text-align: center; padding: 5px;">RETURN ON SERVICE</td> </tr> <tr> <td colspan="3" style="padding: 5px;"> <p><input type="checkbox"/> Return receipt of certified mail received in this office on _____ <small>(Date)</small></p> <p><input type="checkbox"/> I certify that I personally delivered a copy of this Summons and Complaint or other document to _____ <small>in _____ County,</small> <small>(Name of Person Served) _____ (Name of County)</small></p> <p>Alabama on _____ <small>(Date)</small> <small>(Address of Server)</small></p> </td> </tr> <tr> <td style="width: 25%; padding: 5px;"><small>(Type of Process Server)</small></td> <td style="width: 50%; text-align: center; padding: 5px;"><small>(Server's Signature)</small></td> <td style="width: 25%; text-align: center; padding: 5px;"><small>(Address of Server)</small></td> </tr> <tr> <td style="width: 25%; padding: 5px;"><small>(Server's Printed Name)</small></td> <td style="width: 50%; text-align: center; padding: 5px;"><small>(Phone Number of Server)</small></td> <td style="width: 25%; text-align: center; padding: 5px;"></td> </tr>			RETURN ON SERVICE			<p><input type="checkbox"/> Return receipt of certified mail received in this office on _____ <small>(Date)</small></p> <p><input type="checkbox"/> I certify that I personally delivered a copy of this Summons and Complaint or other document to _____ <small>in _____ County,</small> <small>(Name of Person Served) _____ (Name of County)</small></p> <p>Alabama on _____ <small>(Date)</small> <small>(Address of Server)</small></p>			<small>(Type of Process Server)</small>	<small>(Server's Signature)</small>	<small>(Address of Server)</small>	<small>(Server's Printed Name)</small>	<small>(Phone Number of Server)</small>	
RETURN ON SERVICE														
<p><input type="checkbox"/> Return receipt of certified mail received in this office on _____ <small>(Date)</small></p> <p><input type="checkbox"/> I certify that I personally delivered a copy of this Summons and Complaint or other document to _____ <small>in _____ County,</small> <small>(Name of Person Served) _____ (Name of County)</small></p> <p>Alabama on _____ <small>(Date)</small> <small>(Address of Server)</small></p>														
<small>(Type of Process Server)</small>	<small>(Server's Signature)</small>	<small>(Address of Server)</small>												
<small>(Server's Printed Name)</small>	<small>(Phone Number of Server)</small>													



November 10, 2021

Dear Circuit Clerk:

UJS Information

Case Number: 31-CV-2021-900523.00
 Document Type: Complaint
 Restricted Delivery Requested: No

Intended Recipient:
 ALABAMA & TENNESSEE RIVER RAILWAY, LLC (D002)
 C/O CT CORPORATION SYSTEM
 2 N JACKSON ST, STE 605
 MONTGOMERY, AL 36104

The following is in response to your request for proof of delivery on your item with the tracking number:
9214 8901 7301 4131 2100 0347 34.

Item Details

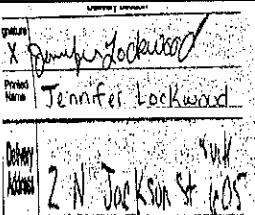
Status: Delivered
Status Date / Time: November 10, 2021, 8:29 am
Location: MONTGOMERY, AL 36104
Postal Product: First-Class Mail®
Extra Services: Certified Mail™
 Return Receipt Electronic

Shipment Details

Weight: 5.0oz

Recipient Signature

Signature of Recipient:



Address of Recipient:

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
 United States Postal Service®
 475 L'Enfant Plaza SW
 Washington, D.C. 20260-0004



AlaFile E-Notice

31-CV-2021-900523.00

Judge: SONNY J. STEEN

To: MEZRANO STEVEN MICHAEL
steven@mezrano.com

NOTICE OF SERVICE

IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

NICK GREEN ET AL V. OMNITRAX, INC. ET AL

31-CV-2021-900523.00

The following matter was served on 11/10/2021

D002 ALABAMA & TENNESSEE RIVER RAILWAY, LLC

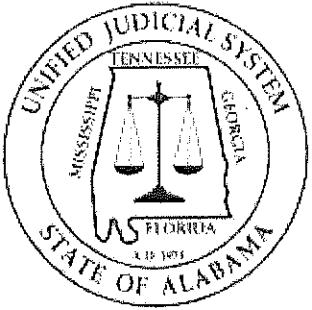
Corresponding To

CERTIFIED MAIL

ELECTRONIC CERTIFIED MAIL RETURN

CASSANDRA JOHNSON
CIRCUIT COURT CLERK
ETOWAH COUNTY, ALABAMA
801 FORREST AVENUE
SUITE 202
GADSDEN, AL, 35901

256-549-2150



AlaFile E-Notice

31-CV-2021-900523.00

Judge: SONNY J. STEEN

To: ADAMS ERIN GANEY
erin@mezrano.com

NOTICE OF SERVICE

IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

NICK GREEN ET AL V. OMNITRAX, INC. ET AL

31-CV-2021-900523.00

The following matter was served on 11/10/2021

D002 ALABAMA & TENNESSEE RIVER RAILWAY, LLC

Corresponding To

CERTIFIED MAIL

ELECTRONIC CERTIFIED MAIL RETURN

CASSANDRA JOHNSON
CIRCUIT COURT CLERK
ETOWAH COUNTY, ALABAMA
801 FORREST AVENUE
SUITE 202
GADSDEN, AL, 35901

256-549-2150



AlaFile E-Notice

31-CV-2021-900523.00

Judge: SONNY J. STEEN

To: OMNITRAX, INC. (PRO SE)
C/O DON VAN WYK
252 CLAYTON STREET, 4TH F
DENVER, CO, 80206-0000

NOTICE OF SERVICE

IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

NICK GREEN ET AL V. OMNITRAX, INC. ET AL

31-CV-2021-900523.00

The following matter was served on 11/10/2021

D002 ALABAMA & TENNESSEE RIVER RAILWAY, LLC

Corresponding To

CERTIFIED MAIL

ELECTRONIC CERTIFIED MAIL RETURN

CASSANDRA JOHNSON
CIRCUIT COURT CLERK
ETOWAH COUNTY, ALABAMA
801 FORREST AVENUE
SUITE 202
GADSDEN, AL, 35901

256-549-2150



AlaFile E-Notice

31-CV-2021-900523.00

Judge: SONNY J. STEEN

To: ALABAMA & TENNESSEE RAILWAY, LLC (PRO SE)
C/O CT CORPORATION SYSTEM
2 N JACKSON ST, STE 605
MONTGOMERY, AL, 36104-0000

NOTICE OF SERVICE

IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

NICK GREEN ET AL V. OMNITRAX, INC. ET AL

31-CV-2021-900523.00

The following matter was served on 11/10/2021

D002 ALABAMA & TENNESSEE RAILWAY, LLC

Corresponding To

CERTIFIED MAIL

ELECTRONIC CERTIFIED MAIL RETURN

CASSANDRA JOHNSON
CIRCUIT COURT CLERK
ETOWAH COUNTY, ALABAMA
801 FORREST AVENUE
SUITE 202
GADSDEN, AL, 35901

256-549-2150



November 15, 2021

Dear Circuit Clerk:

UJS Information

Case Number: 31-CV-2021-900523.00
 Document Type: Complaint
 Restricted Delivery Requested: No

Intended Recipient:
 OMNITRAX, INC. (D001)
 C/O DON VAN WYK
 252 CLAYTON STREET, 4TH F
 DENVER, CO 80206

The following is in response to your request for proof of delivery on your item with the tracking number:
9214 8901 7301 4131 2100 0347 27.

Item Details

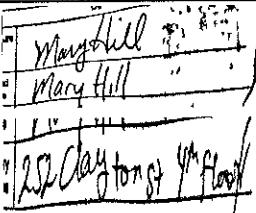
Status: Delivered, Front Desk/Reception/Mail Room
Status Date / Time: November 15, 2021, 1:16 pm
Location: DENVER, CO 80206
Postal Product: First-Class Mail®
Extra Services: Certified Mail™
 Return Receipt Electronic

Shipment Details

Weight: 5.0oz

Recipient Signature

Signature of Recipient:



Address of Recipient:

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
 United States Postal Service®
 475 L'Enfant Plaza SW
 Washington, D.C. 20260-0004



AlaFile E-Notice

31-CV-2021-900523.00

Judge: SONNY J. STEEN

To: MEZRANO STEVEN MICHAEL
steven@mezrano.com

NOTICE OF SERVICE

IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

NICK GREEN ET AL V. OMNITRAX, INC. ET AL

31-CV-2021-900523.00

The following matter was served on 11/15/2021

D001 OMNITRAX, INC.

Corresponding To

CERTIFIED MAIL

ELECTRONIC CERTIFIED MAIL RETURN

CASSANDRA JOHNSON
CIRCUIT COURT CLERK
ETOWAH COUNTY, ALABAMA
801 FORREST AVENUE
SUITE 202
GADSDEN, AL, 35901

256-549-2150



AlaFile E-Notice

31-CV-2021-900523.00

Judge: SONNY J. STEEN

To: ADAMS ERIN GANEY
erin@mezrano.com

NOTICE OF SERVICE

IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

NICK GREEN ET AL V. OMNITRAX, INC. ET AL

31-CV-2021-900523.00

The following matter was served on 11/15/2021

D001 OMNITRAX, INC.

Corresponding To

CERTIFIED MAIL

ELECTRONIC CERTIFIED MAIL RETURN

CASSANDRA JOHNSON
CIRCUIT COURT CLERK
ETOWAH COUNTY, ALABAMA
801 FORREST AVENUE
SUITE 202
GADSDEN, AL, 35901

256-549-2150



AlaFile E-Notice

31-CV-2021-900523.00

Judge: SONNY J. STEEN

To: OMNITRAX, INC. (PRO SE)
C/O DON VAN WYK
252 CLAYTON STREET, 4TH F
DENVER, CO, 80206-0000

NOTICE OF SERVICE

IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

NICK GREEN ET AL V. OMNITRAX, INC. ET AL
31-CV-2021-900523.00

The following matter was served on 11/15/2021

D001 OMNITRAX, INC.
Corresponding To
CERTIFIED MAIL
ELECTRONIC CERTIFIED MAIL RETURN

CASSANDRA JOHNSON
CIRCUIT COURT CLERK
ETOWAH COUNTY, ALABAMA
801 FORREST AVENUE
SUITE 202
GADSDEN, AL, 35901

256-549-2150



AlaFile E-Notice

31-CV-2021-900523.00

Judge: SONNY J. STEEN

To: ALABAMA & TENNESSEE RIVER RAILWAY, LLC (PRO SE)
C/O CT CORPORATION SYSTEM
2 N JACKSON ST, STE 605
MONTGOMERY, AL, 36104-0000

NOTICE OF SERVICE

IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

NICK GREEN ET AL V. OMNITRAX, INC. ET AL
31-CV-2021-900523.00

The following matter was served on 11/15/2021

D001 OMNITRAX, INC.
Corresponding To
CERTIFIED MAIL
ELECTRONIC CERTIFIED MAIL RETURN

CASSANDRA JOHNSON
CIRCUIT COURT CLERK
ETOWAH COUNTY, ALABAMA
801 FORREST AVENUE
SUITE 202
GADSDEN, AL, 35901

256-549-2150